

CAHILL GORDON & REINDEL LLP
EIGHTY PINE STREET
NEW YORK, NY 10005-1702

ROBERT A. ALESSI
HELENE R. BANKS
ANIRUDH BANSAL
DAVID L. BARASH
LANDIS C. BEST
BRADLEY J. BONDI
BROCKTON B. BOSSON
JAMES J. CLARK
CHRISTOPHER W. CLEMENT
AYANO K. CREED
SEAN M. DAVIS
STUART G. DOWNING
ADAM M. DWORKIN
ANASTASIA EFIMOVA
JENNIFER B. EZRING
JOAN MURTAGH FRANKEL
JONATHAN J. FRANKEL
PIERRE M. GENTIN

CHARLES A. GILMAN
ARIEL GOLDMAN
JASON M. HALL
WILLIAM M. HARTNETT
NOLA B. HELLER
CRAIG M. HOROWITZ
DOUGLAS S. HOROWITZ
TIMOTHY B. HOWELL
DAVID G. JANUSZEWSKI
ELAI KATZ
BRIAN S. KELLEHER
RICHARD KELLY
CHÉRIE R. KISER*
JOEL KURTZBERG
TED B. LACEY
MARC R. LASHBROOK
ALIZA R. LEVINE

TELEPHONE: (212) 701-3000
WWW.CAHILL.COM

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900

CAHILL GORDON & REINDEL (UK) LLP
24 MONUMENT STREET
LONDON EC3R 8AJ
+44 (0)20 7920 9800

WRITER'S DIRECT NUMBER

202-862-8950
ckiser@cahill.com

JOEL H. LEVITIN
GEOFFREY E. LIEBMANN
BRIAN T. MARKLEY
WILLIAM J. MILLER
NOAH B. NEWITZ
MICHAEL J. OHLER
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
KIMBERLY PETILLO-DECOSSARD
SHEILA C. RAMESH
MICHAEL W. REDDY
OLEG REZZY
JAMES ROBINSON
THORN ROSENTHAL
TAMMY L. ROY
JONATHAN A. SCHAFFZIN

MICHAEL A. SHERMAN
DARREN SILVER
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ JR.
SUSANNA M. SUH
ANTHONY K. TAMA
JONATHAN D. THIER
SEAN P. TONOLLI*
JOHN A. TRIPODORO
GLENN J. WALDRIP, JR.
HERBERT S. WASHER
MICHAEL B. WEISS
S. PENNY WINDLE
DAVID WISHENGRAD
COREY WRIGHT
JOSHUA M. ZELIG
DANIEL J. ZUBKOFF

*ADMITTED IN DC ONLY

March 30, 2018

Via ECFS (Public Version) and
Hand Delivery (Confidential Version)

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 12-375
Telmate, LLC Annual Report and Certification

Dear Secretary Dortch:

Telmate, LLC ("Telmate"), by its attorneys, respectfully submits its Annual Report and Certification for calendar year 2017. Telmate provides its Annual Report and Certification in accordance with the requirements of the *Protective Order* previously adopted in this proceeding.¹ Specifically, Telmate provides a REDACTED version of its response via ECFS, and a CONFIDENTIAL version of its response in hard copy to the Secretary's Office.

Under the *Protective Order*, "Confidential Information" is "information that is not otherwise available from publicly available sources and that is subject to protection under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the Commission's implementing rules."² The *Protective Order* states that a party "designating documents and information as Confidential" pursuant to the *Protective Order* "will be deemed to have submitted a request that

¹ Rates for Interstate Inmate Calling Services, 28 FCC Rcd 16954 (2013) ("*Protective Order*").

² *Protective Order* ¶ 2.

the material not be made routinely available for public inspection under the Commission's rules."³

FOIA exempts from disclosure "trade secrets and commercial or financial information obtained from a person and privileged or confidential" information.⁴ Similarly, the Commission's rules state that such information is not routinely available for public inspection.⁵ The Commission's rules also allow parties to seek protection for information that is "commercial or financial, or contains a trade secret or is privileged" or when "disclosure of the information could result in substantial competitive harm."⁶

Telmate has designated its entire Annual Report as Confidential Information under the *Protective Order*. Information concerning "business operations and plans" routinely has been withheld as disclosure could damage a company's "competitive position by giving the competitors insight into [the company]'s business methods and strategies."⁷ Further, information that has "the potential of revealing [a company]'s market plans and positions" or providing "insight into [a company]'s business strategies" also has been deemed exempt from mandatory public disclosure.⁸ The Commission has held "revenue information to be the type of competitively sensitive material that should be withheld under" FOIA.⁹ The Commission also has found financial information should be withheld from disclosure "because this material is competitively sensitive and therefore confidential" under FOIA.¹⁰ Accordingly, the information designated by Telmate as Confidential Information herein is the type of material routinely protected from disclosure under FOIA and the Commission's rules.

³ *Protective Order* ¶ 3 (citing 47 C.F.R. §§ 0.459(a), 0.459(a)(3)).

⁴ 5 U.S.C. § 552(b)(4).

⁵ 47 C.F.R. § 0.457(d).

⁶ 47 C.F.R. §§ 0.459(b)(3), 0.459(b)(5).

⁷ *Josh Wein, Warren Communications News on Request for Inspection of Records*, 24 FCC Rcd 12347, ¶ 13 (2009).

⁸ *Local Exchange Carriers' Rates, Terms, and Conditions for Expanded Interconnection through Virtual Collocation for Special Access and Switched Transport*, 13 FCC Rcd 13354, ¶ 9 (1998); see also *Jonathan E. Canis, Frank W. Krogh, Richard J. Metzger*, 9 FCC Rcd 6495 (1994).

⁹ *The Consumer Law Group*, 28 FCC Rcd 684, ¶ 6 (2013); see also *The Lakin Law Firm, P.C.*, 19 FCC Rcd 12727 ¶ 6 (2004); FOIA Control No. 2002-268, Letter from Joseph T. Hall to Fred B. Campbell, Harris Wiltshire & Grannis (July 8, 2002); FOIA Control No. 2002-351, Letter from Joseph T. Hall to Roy Thompson, Black Radio Network (Aug. 19, 2002); *John E. Wall, Jr.*, 22 FCC Rcd 2561 (2007).

¹⁰ *Sandwich Isles Communications, Inc. on Request for Inspection of Records*, 28 FCC Rcd 15253, ¶ 7 (2013).

Please contact me if you have any questions regarding this matter.

Respectfully submitted,

/s/ Chérie R. Kiser

Chérie R. Kiser

Counsel for Telmate, LLC

Enclosure

cc: Lynne Engledow

**In the Matter of Interstate Inmate Calling Services
WC Docket No. 12-375
Annual Reporting Form**

FCC Form 2301(a)

OMB Control No. 3060-1222

Instructions: Please read this form carefully before completing. This form is to be completed by an officer of each provider of inmate calling services (ICS). If the provider seeks confidential treatment of any information, consistent with our rules and the Protective Order in place in this proceeding, it should identify the specific information which it claims is subject to confidential treatment.

I. Basic Information

1. Provider Name: Telmate, LLC	2. Reporting Period: Jan 1, 2017 – Dec 31, 2017
3. Officer Name, Title: Steve Yow, Chief Financial Officer	
4. Officer Telephone Number: 251-338-8877	5. Officer E-Mail Address: Steve.Yow@gtl.net
6. Total Number of Correctional Facilities Served by Provider: [REDACTED]	
7. Number of Prisons Served by Provider: [REDACTED]	
8. Number of Jails Served by Provider with Average Daily Population (ADP) of 0-350: [REDACTED]	
9. Number of Jails Served by Provider with ADP of 350-999: [REDACTED]	
10. Number of Jails Served by Provider with ADP of 1000 or more: [REDACTED]	

II. ICS Rates – See Ex. A

II(a). Narrative Description of ICS Rates

- 1. In this space, please list all per-minute intrastate rates that are different from the provider’s average Intrastate Rate (*see* Section II, Column 4):**

None

- 2. In this space, please list all per-minute interstate rates that are different from the provider’s average Interstate Rate (*see* Section II, Column 6):**

None

III. Ancillary Service Charges – See Ex. B

IV. Variable Site Commission Payments – See Ex. C

V. Fixed Site Commission Payments - See Ex. D

VI. Video Calling Services – Not Provided

VII. Disability Access – See Ex. E

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

We have estimated that each response to this collection of information will take 60 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain the required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERF, Paperwork Reduction Project (3060-1222), Washington, DC 20554. We will also accept your comments via the Internet if you send them to pra@fcc.gov. Please DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-1222.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507

EXHIBIT A

II. ICS Rates

Facility Name	Facility Type	ADP (for jails)	Intrastate Rate	Intrastate Rates Different from Listed Rate	Interstate Rate	Interstate Rate Different from Listed Rate	International Rate

II. ICS Rates

Facility Name	Facility Type	ADP (for jails)	Intrastate Rate	Intrastate Rates Different from Listed Rate	Interstate Rate	Interstate Rate Different from Listed Rate	International Rate

II. ICS Rates

Facility Name	Facility Type	ADP (for jails)	Intrastate Rate	Intrastate Rates Different from Listed Rate	Interstate Rate	Interstate Rate Different from Listed Rate	International Rate

II. ICS Rates

Facility Name	Facility Type	ADP (for jails)	Intrastate Rate	Intrastate Rates Different from Listed Rate	Interstate Rate	Interstate Rate Different from Listed Rate	International Rate

EXHIBIT B

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]					

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

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Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

III. Ancillary Service Charges

Facility Name	Facility Type	ADP (for jails)	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

EXHIBIT C

IV. Variable Site Commission Payments

Facility Name	Facility Type	ADP (for jails)	Monthly Amount of Variable Site Commission Payments
[REDACTED]			

IV. Variable Site Commission Payments

Facility Name	Facility Type	ADP (for jails)	Monthly Amount of Variable Site Commission Payments
[REDACTED]			

IV. Variable Site Commission Payments

Facility Name	Facility Type	ADP (for jails)	Monthly Amount of Variable Site Commission Payments
[REDACTED]			

IV. Variable Site Commission Payments

Facility Name	Facility Type	ADP (for jails)	Monthly Amount of Variable Site Commission Payments
[REDACTED]			

IV. Variable Site Commission Payments

Facility Name	Facility Type	ADP (for jails)	Monthly Amount of Variable Site Commission Payments
[REDACTED]			

EXHIBIT D

V. Fixed Site Commissions Payments

Contracting Party	Contract Identifier	Fixed Site Commissions Required by Contract	Facilities Covered by Contract	Facility Type	ADP (for jails)

EXHIBIT E

VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
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[REDACTED]							
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VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
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VII. Disability Access

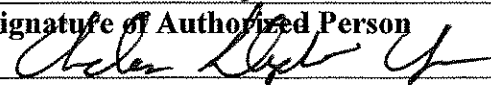
Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged
[REDACTED]							

VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

VII. Disability Access

Facility Name	Facility Type	ADP (for jails)	Number of Disability related calls	Number of problems related to disability calls	Pay Type	Charge for Each Ancillary Service	Number of Times Fees has been Charged

FCC Form 2301(b)		Estimated Time Per Response: 5 Hours	
Inmate Calling Services Annual Certification Form			
Please Read Instructions Before Completing		(To Be Completed by Service Provider)	
1. Name of Service Provider Telmate, LLC		2. Reporting Year 2017	
3. Officer Name, Title Charles Stephen Yow, Chief Financial Officer			
4. Mailing Address of Officer Street Address 12021 Sunset Hills Road, Suite 100			
City Reston, VA 20190		State	Zip Code
5. Telephone Number 251-338-8877			
6. Email Address Steve.Yow@gtl.net			
Block 2: Certification			
The chief executive officer (CEO), chief financial officer (CFO), or other senior executive with first-hand knowledge of the accuracy and completeness of the information provided must certify as follows:			
I swear under penalty of perjury that:			
(i) I <u>Charles Stephen Yow, CFO</u> (name and title), am an officer of the above-named service provider and am authorized to submit the attached Annual Reports on behalf of the service provider;			
(ii) I have examined the attached Annual Reporting Forms and all requested information has been provided;			
(iii) Based on information known to me, or provided to me by employees responsible for the data being submitted, all statements of fact, as well as all data, are true and accurate; and			
(iv) The above-named service provider is in compliance with the Federal Communications Commission's rules governing inmate calling services (ICS). I acknowledge that failure to comply with the rules governing ICS may result in civil or criminal prosecution.			
9. Signature of Authorized Person 		10. Date 3/29/2018	
11. Printed name of Authorized Person Charles Stephen Yow			